

Message Text

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21

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 AID-20 COME-00 EB-11 FRB-02 TRSE-00 XMB-07

OPIC-12 CIEP-02 LAB-06 SIL-01 OMB-01 AGR-20 CEA-02

DRC-01 /174 W

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P 270653Z MAY 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 3805

UNCLAS MANILA 6199

E.O. 11652: N/A

TAGS: EGEN, RP

SUBJ: PRESIDENTIAL DECREE ON LEASES OF PRIVATE LAND TO FOREIGNERS

REF: MANILA 6196

1. PRESIDENTIAL DECREE NO. 471, FIXING A MAXIMUM OF 25 YEARS DURATION FOR LEASES OF PRIVATE LANDS TO FOREIGNERS WITH PROVISION FOR RENEWAL FOR 25 YEAR PERIOD, WAS ANNOUNCED MAY 25 ALONG WITH GOP STATEMENT ON TERMINATION OF PARITY RIGHTS REPORTED REFTEL. EMBASSY WILL LATER FORWARD COMMENTS UPON AND REPORT LOCAL REACTION TO BOTH MEASURES.

2. TEXT OF PD NO. 471 FOLLOWS:

"WHEREAS, THE CONSTITUTION BANS THE ACQUISITION BY ALIENS AND ALIEN-OWNED ENTITIES OF PUBLIC AND PRIVATE LANDS.

"WHEREAS, LEASES OF UNREASONABLY LONG DURATION WOULD AMOUNT TO A VIRTUAL TRANSFER OF OWNERSHIP IN VIOLATION OF THE INTENT OF THE CONSTITUTIONAL PROHIBITION.

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"WHEREAS, THERE IS A COMPELLING NEED TO FIX A REASONABLE

MAXIMUM PERIOD FOR THE DURATION OF THE LEASES OF PRIVATE LANDS TO ALIENS AND TO ENFORCE COMPLIANCE THEREOF BY PUNISHING VIOLATIONS.

NOW, THEREFORE, I, FERDINAND E. MARCOS, PRESIDENT OF THE PHILIPPINES, BY VIRTUE OF THE POWER VESTED IN ME BY THE CONSTITUTION, DO HEREBY ORDER AND DECREE:

"SECTION 1. THE MAXIMUM PERIOD ALLOWABLE FOR THE DURATION OF LEASES OF PRIVATE LANDS TO ALIENS OR ALIEN-OWNED CORPORATIONS, ASSOCIATIONS, OR ENTITIES NOT QUALIFIED TO ACQUIRE PRIVATE LANDS IN THE PHILIPPINES SHALL BE TWENTY-FIVE YEARS, RENEWABLE FOR ANOTHER PERIOD OF TWENTY-FIVE YEARS UPON MUTUAL AGREEMENT OF BOTH LESSOR AND LESSEE.

"SECTION 2. ANY CONTRACT OR AGREEMENT MADE OR EXECUTED IN VIOLATION OF THIS DECREE SHALL BE NULL AND VOID AB INITIO AND BOTH PARTIES TO THE AGREEMENT SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIVE HUNDRED NOR MORE THAN ONE THOUSAND PESOS, OR BY IMPRISONMENT OF FROM SIX MONTHS TO ONE YEAR, OR BOTH IN THE DISCRETION OF THE COURT, PROVIDED, THAT THE PRESIDENT OR MANAGERS AND DIRECTORS OR TRUSTEES OF CORPORATIONS, ASSOCIATIONS OR PARTNERSHIPS VIOLATING THIS DECREE SHALL BE CRIMINALLY LIABLE IN LIEU THEREOF.

"SECTION 3. THIS DECREE SHALL TAKE EFFECT IMMEDIATELY."
SULLIVAN

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Message Attributes

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